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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Washington, D.C. 20231



Serial No.: 10/051,743

Examiner:

Filed: January 22, 2002

Art Unit:

In re application of: Robert E. Fischell, et al

Docket No.: A1-01

For: RAPID RESPONSE SYSTEM FOR THE DETECTION AND TREATMENT OF  
CARDIAC EVENTS

**PETITION FOR ACCEPTING MISSING PART**

**RECEIVED**  
MAY 02 2002

Hon. Commissioner of Patents and Trademarks

OFFICE OF PETITIONS

Washington, D.C. 20231

Sir:

The applicants hereby petition the USPTO to accept the enclosed FIGS. 6, 8 and 16 of the above referenced patent application as having been originally filed with that application. The applicants respectfully contend that those three figures were actually sent with the original patent application on Dec. 23, 2001 and were misplaced at the USPTO. Therefore, the applicants respectfully request that the original filing date for the application of Jan. 22, 2002 be the filing date of record for this entire application including FIGS. 6, 8 and 16. The reasons why the applicants respectfully contend that the figures were misplaced at the USPTO are presented in the enclosed letter of transmittal.

Under 37 CFR 1.17(h), a check in the amount of \$130.00 is enclosed to cover the cost of this Petition. If the USPTO determines that the enclosed letter of transmittal for this Petition is adequate for indicating that it is probable that these three figures were included in the original submission, then it is understood that the \$130.00 will be returned to the applicants.

04/12/2002 MBERHE 00000011 10051743

130.00 OP

Adjustment date: 06/14/2002 - KELLEY  
04/12/2002 MBERHE 00000011 10051743  
01 FC:122 -130.00 OP

Refund Ref: 06/14/2002 - KELLEY 0000117900

Refund Total: \$130.00

I HEREBY DECLARE that all the Statements made herein of my own knowledge are true and that all Statements made on information are believed to be true; and further that these Statements were made with the knowledge that willful false Statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,



Robert E. Fischell, Sc.D.  
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Date: April 6, 2002

Enclosures:

- (1) Response in the form of a letter of transmittal
- (2) Petition fee payment of \$130.00
- (3) Three sheets (3) of drawings
- (4) Copies of two (2) postcards
- (5) Postcard to verify received documents
- (6) NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION